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**IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA**

IN RE NATIONAL SECURITY) MDL Docket No. 06-1791 VRW
AGENCY TELECOMMUNICATIONS)
RECORDS LITIGATION) **DECLARATION OF WENDELL BELEW**
) **IN SUPPORT OF PLAINTIFFS' MOTION**
This Document Relates Solely To:) **FOR PARTIAL SUMMARY JUDGMENT**

Al-Haramain Islamic Foundation, Inc., et) Date: Tuesday, September 1, 2009
al. v. Obama, et al. (C07-CV-0109-VRW)) Time: 10:00 a.m.
) Court: Courtroom 6, 17th Floor
AL-HARAMAIN ISLAMIC) Honorable Vaughn R. Walker
FOUNDATION, INC., et al.,)
)

Plaintiffs,
vs.
**BARACK H. OBAMA, President of the
United States, et al.,**
Defendants.

I, Wendell Belew, declare as follows:

1. I am an attorney at law, with an office in Washington, D.C., and am one of the plaintiffs in the above-captioned litigation.

2. The statements contained in this declaration are based on my personal knowledge and recollection, wholly independent of any classified written documentation including the sealed document that was filed simultaneously with the initial complaint in this litigation.

3. During the period of time immediately following the blocking of plaintiff Al-Haramain Islamic Foundation, Inc.'s assets on February 19, 2004, I spoke over the telephone with one of Al-Haramain's directors, Soliman al-Buthi, on the following dates: March 10, 11 and 25, April 16, May 13, 22 and 26, and June 1, 2 and 10, 2004. I was located in Washington D.C.; al-Buthi was located in Riyadh, Saudi Arabia. The telephone number that I used was 202-255-3808. The telephone numbers that al-Buthi used were 96655457679, 966506414004 and 966505457679.

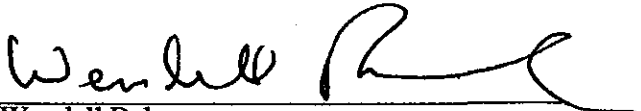
4. Plaintiff Al-Haramain and al-Buthi had been named among multiple defendants in *Burnett, et al. v. Al Baraka Investment and Development Corporation, et al.*, a lawsuit filed against Saudi Arabian entities and citizens on behalf of victims of the terrorist attacks of September 11, 2001. Al-Buthi was attempting to coordinate the defense of individuals named in the *Burnett* lawsuit and the payment of their legal fees. Al-Buthi contacted some of those individuals and urged them to obtain legal representation to prevent entry of default judgments against them. Plaintiff Asim Ghafoor undertook to represent several of the individuals whom al-Buthi contacted. I undertook to provide legal services in connection with the formation and operation of a lobbying organization for Islamic charities, the Friends of Charities Association (FOCA).

5. During my telephone conversations with al-Buthi described in paragraph 3 above, we

1 discussed issues relating to the operation of FOCA, including the form and content of bills for payment
2 of FOCA's attorney fees to me and others. On one occasion, we discussed the fact that a check to me
3 from FOCA could not be negotiated because it lacked part of its routing code.

4 Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and
5 correct to the best of my knowledge, information and belief.

6 Executed this 2d day of July, 2009.

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8 Wendell Belew
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